

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

2007 MAY 22 11:10 AM

RAYMOND WEAVER,

Plaintiff,

:

Case No. 3:07-cv-149

-vs-

District Judge Walter Herbert Rice  
Chief Magistrate Judge Michael R. Merz

:

CITY OF HUBER HEIGHTS, et al.,

Defendants.

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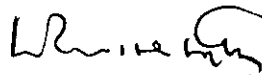
**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 5), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on May 17, 2007, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that this action be dismissed without prejudice for failure to state a claim upon which relief can be granted.

May 22, 2007.



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Walter Herbert Rice  
United States District Judge